

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**JULIE K. GREER,
JUSTIN L. BUCKNER,
JORGE TORRES,
BRITTANY FOWLER,**

No.08-30071-DRH

Defendant.

ORDER

HERNDON, Chief Judge:

Before the Court is Defendant Julie K. Greer's third motion for continuance of trial (Doc. 46). Defendant argues that she is in current negotiations with the Government regarding a possible plea and needs additional time to allow for a negotiated disposition of the case. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by granting of such a continuance outweigh the interests of the public and Defendant Greer in a speedy trial because failure to grant a continuance would unreasonably interfere with the current plea negotiations, which if successful would serve all parties' interest in a just and efficient outcome. Therefore, the Court **GRANTS** Defendant Greer's motion to continue (Doc. 46) and **CONTINUES** the trial scheduled for February 2, 2009 until **March 23, 2009 at 9:00 a.m.** This continuance of trial applies to all non-moving defendants as well. *United States v. Baker*, 40 F.3d 154, 159 (7th Cir.

1994)(“‘Under § 3161(h)(7), the excludable delay of one defendant may be ascribed to all codefendants in the same case, absent severance.’”)(quoting *United States v. Tanner*, 941 F.2d 574, 580 (7th Cir.1991), *cert. denied*, 502 U.S. 1102, 112 S. Ct. 1190 (1992)). The time from the date Defendant Greer’s motion was filed, January 21, 2009, until the date on which the trial is rescheduled, March 23, 2009, is excludable time for the purposes of a speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPAT) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

Signed this 22nd day of January, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**